

Entered on Docket

March 24, 2010

GLORIA L. FRANKLIN, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA



1 DEVIN DERHAM-BURK #104353  
2 CHAPTER 13 STANDING TRUSTEE  
3 P O BOX 50013  
4 SAN JOSE, CA 95150-0013

5 Telephone: (408) 354-4413  
6 Facsimile: (408) 354-5513

7 Trustee for Debtor

8 The Relief Sought in the following  
9 order is DENIED. Signed March 24, 2010

  
10 Roger L. Efremsky  
11 U.S. Bankruptcy Judge

12 UNITED STATES BANKRUPTCY COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN JOSE DIVISION

15 In Re: Chapter 13  
16 ERIC S SWENSON )  
17 ) Case No. 10-50739 RLE  
18 ) )  
19 ) ORDER OF DISMISSAL  
20 ) PRIOR TO CONFIRMATION  
21 )  
22 )  
23 )  
24 )  
25 )  
26 ) Debtor )

27 The Declaration in Support of Dismissal for Failure to Comply with 11 U.S.C. §521(a)  
28 (1)(B)(iv) [Docket #18] (Failure to Submit Pay Advices to the Trustee) by DEVIN  
1 DEVIN DERHAM-BURK, Chapter 13 Standing Trustee (hereafter "Trustee") has been duly  
2 considered by the Court and;

3 IT IS ORDERED THAT the the above case is dismissed without prejudice and that  
4 any restraining orders previously issued be vacated. After payment of allowed adequate  
5 protection payments, administrative costs and fees, the Chapter 13 Standing Trustee shall  
6 return to the Debtor any remaining balance of the debtor funds on hand. The Trustee shall  
7 submit, at a later date, her Trustee's Final Report and Account for approval by the Court.

8 Notice of the dismissal shall be served upon all parties by the Court.

9 \* \* \* END OF ORDER \* \* \*

**COURT SERVICE LIST**

Case Name: ERIC S SWENSON

Case Number: 10-50739 RLE

ERIC S SWENSON  
1132 BRACE AVE  
SAN JOSE, CA 95125

THE MLNARIK LAW GROUP INC  
2328 WALSH AVE #H  
SANTA CLARA, CA 95051